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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-09-0721 SBA
)	
Plaintiff,)	STIPULATED REQUEST TO SET
)	CHANGE OF PLEA AND SENTENCING
v.)	ON MARCH 9, 2010 AND TO EXCLUDE
)	TIME UNDER THE SPEEDY TRIAL ACT
CHARLES ZELL DANIELS,)	
)	
Defendant.)	Date: December 1, 2009
)	Time: 9:00 a.m.
)	Court: Hon. Sandra Brown
)	Armstrong

The above-captioned matter is set on December 1, 2009 before this Court for change of plea or trial setting. The parties request that this Court vacate that date and set this matter for change of plea and sentencing on March 9, 2010 at 10:00 a.m., and that the Court exclude time under the Speedy Trial Act between the date of this stipulation and March 9, 2010.

The parties have reached an agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure and will submit the proposed plea agreement to the Court at the same time as this stipulation. To allow time for the Court to consider the proposed plea agreement and for the preparation of a Presentence Investigation Report by the United States Probation Office, the parties request that this matter be set on March 9, 2010 at 10:00 a.m. for change of plea and

STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON MARCH 9, 2010 & TO EXCLUDE TIME
No. CR-09-0721 SBA

1 sentencing (assuming the proposed plea agreement is acceptable to the Court). Defendant agrees
2 that the Court may review the pre-plea Presentence Investigation Report even though he has not
3 yet pleaded guilty. Since the proposed plea agreement has been submitted to the Court, the
4 parties further stipulate and agree that the time between December 1, 2009 and March 9, 2010
5 should be excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. §
6 3161(h)(1)(G), for consideration by the Court of a proposed plea agreement to be entered into by
7 the defendant and the attorney for the government.

8
9 DATED: December 1, 2009

10
11 /s/

12 _____
CHRISTINA M. McCALL
Assistant United States Attorney
13 Counsel for United States

/s/

14 _____
JOHN PAUL REICHMUTH
Counsel for Charles Z. Daniels

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16 The parties jointly requested that status hearing in this matter be vacated and that this
17 matter be set for change of plea and sentencing on March 9, 2010 at 10:00 a.m. The parties
18 further requested that time be excluded under the Speedy Trial Act between December 1, 2009
19 and March 9, 2010 to allow time for the Court to consider the proposed plea agreement to be
20 entered into by the defendant and the attorney for the government, and to allow time for the
21 preparation of a Presentence Investigation Report by the United States Probation Office.
22 Defendant agreed that the Court may review the pre-plea Presentence Investigation Report even
23 though he has not yet pleaded guilty. Good cause appearing therefor, and pursuant to 18 U.S.C.
24 § 3161(h)(1)(G),

25 **IT IS HEREBY ORDERED** that this matter is set for change of plea and sentencing on
26 March 9, 2010 at 10:00 a.m., and that time between December 1, 2009 and March 9, 2010 is
27 excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for
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1 consideration by the Court of a proposed plea agreement to be entered into by the defendant and
2 the attorney for the government.

3 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a
4 Presentence Investigation Report.

5 DATED:11/30/09

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HON. SAUNDRA BROWN ARMSTRONG
7 United States District Judge
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